

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RHONALD COLEMAN BEVERLY  
COMPLAINANT

VS.

HENRY COUNTY WATER DISTRICT  
NO. 2  
DEFENDANT

CASE NO. 93-220

ORDER TO SATISFY OR ANSWER

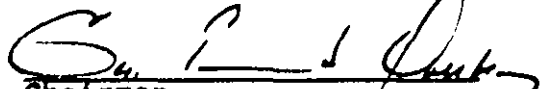
Henry County Water District No. 2 ("Henry County No. 2") is hereby notified that it has been named as defendant in a formal complaint filed on June 21, 1993, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Henry County No. 2 is HEREBY ORDERED to satisfy the matters complained of or to file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 25th day of June, 1993.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUN 21 1993

PUBLIC SERVICE  
COMMISSION

In the Matter of:

RHONALD COLEMAN BEVERLY

COMPLAINANT

VS.

93-220

HENRY COUNTY No.2 WATER DISTRICT

DEFENDANT

C O M P L A I N T

The complaint of RHONALD COLEMAN BEVERLY respectfully shows:

(a) RHONALD COLEMAN BEVERLY

HCR 61, BOX 38

Lockport, Ky. 40036

(b) HENRY COUNTY No.2 WATER DISTRICT

P.O. BOX 219

Campbellburg, Ky. 40011

(c). That: The Henry County No.2 Water District annex this area  
of the county to supply water for the people in this area.  
See Appendix (A).

Rhonald Coleman Beverly (Complainant) in this matter did go

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and talk to the Superintendent about getting water when we heard the line would be built out 573 and down 561. After we heard that the water line from Fred Snider on 389 would extent to Carter's Road and out it. We asked oral about the Albert Moore Road. They finally gave us a price of \$31,350.00 plus \$350.00 for a meter.

First the Henry County No.2 Water District reported the road was 3 miles long than came back and said it was 10,500 feet. The United States Postal Service pays for 1.75 miles but by speedometer from my yard to where the water line is in only 1.6 miles also when the Public Service Commission check it it was only 1.6 miles.

The Henry County No.2 Water District claim they check it with a wheel, they drove down the road with a wheel out of the window with the road having cold patches on it, with the wheel being on the road part of the time and being in the air part of the time.

By night when the water line was extended down HIGHWAY 22 to 389 about half way down the hill on 22 the water line left the road and goes down over the hill back in the woods down to the Junction of 22 and 389 then down 389 in direction to Sharp's Grocery, you come to the Jim Fisher's farm than down the road approximately .7 tenths mile the water line goes to Darrel Fisher's yard with a meter.

Than when putting in the water line from Fred Snider to the

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Beverly V3, Henry County No.2 Water District

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to the Carter's Road, the water company again left highway 389 to follow an old county road approximately three-fourths of a mile to a mile back to 389.

One day when I was down to Lockport I was talking to G.W. Arnold I said to him "they told me that there was almost  $\frac{1}{2}$  as many dollars worth of water line and meters put on your place as you paid for it," I understood him to said "No, I paid for one line usage plus 3 meters at \$350 each with out paying for any more line usage, than he said his son (Owen) paid \$350 for a meter with out any line usage, and than Katherine Stivers (G.W. Arnold sister-in-law) paid for a meter for \$350 with out any line usage.

Than Ernie Moore paid for one line usage and for two meters at \$350 each. I asked Ernie about this and he said he thought that it was a total of a little over \$1,700.00, but he knew it wasn't no \$2900.00 he didn't think but before he could swear to it he would have to go back and look thru his checks.

If the \$350 per meter with no line usage cost was true where did the rest of the money come from to make up  $\frac{1}{2}$  of the cost? Could it have been possible that there was a grant or where did the other money come from?

Carolyn and I do own a farm which is off Carter's Road and on the King Palace Road which the water line is going two tenths of a mile to the Webster's.

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We would be willing to give easement for the water line to be built and maintain only with the line to run within 15 or 20 feet off of the old county road down to the Albert Moore Road than to Miller's on the south side of Long Branch Hollow than down the road approximately 300 feet to my yard.

When talking to Briscoe's and the Miller's they stated that they never had been contacted by Gene Powell on April 13 about any water, also we were under the understanding that the Arnold's had done purchased a meter for their rental property on the Albert Moore Road.

The Miller's attended the meeting on June 8, 1993 with us wanting the water at the price that the other have paid. I could not contact the Briscoe's by phone before the meeting after I did not have to be admitted to the hospital that day.

Upon arriving at the meeting that night I was asked if all of the people that was there was with me, I explained that three of them was not, then these stated they was from Gratz and they was requesting water for them, so the President of the water commission stated that they would see what they was wanting first', we know the president of the water board, the other gentlemen sitting around the table we guest they were board members, upon the ones from Gratz introducing themselves to the board, one of the gentlemen sitting around the table stated "That is my kinfolks and I want them to have water". The water board told them that when the superintendent and the

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engineer which are the same person got out of the hospital they would look into it and see about running the water in to another county.

Also we question the credibility of the water district having signed papers by the superintendent who was supposed to have been in the hospital on May 17, 1993.

In the COMPLAINT INVESTIGATION REPORT by Mr. Michael Newton, in his conclusion Item 3. it states that Henry County #2 is making at its expense greater extensions than those proscribed in the Commission's regulations, however the conditions under such extensions are made are not included in Henry County #2 filed tariff.

Also the way we understand this there was no rules and regulations for water main extension and so that we should be entitled to the water as same as everyone else in this community for this is merely discrimination.

On Cater's Road the distance between the next to last house and the last house is only 4 tenth of a mile and that it was branch off to go on the old King Palace's Road 2tenth of a mile.

For there is two ways for this line to run.

**RELIEF DESIRED**

Wherefore the complainant asked the Henry County No.2 Water District supply us with water at the same price of the line usage of \$1,075.56 and for the cost of the meter at \$350.00

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as the other people have paid.

Complainant do' desired the right if a equal settlement is not reached to let the Justice Department (State or Federal) decide the credibility of the people's rights and possible wrong-doing of the people with possible punitive damages.

Dated at Lockport, Kentucky, this 19 day of June, 1993.



Rhonald Coleman Beverly

HCR 61, Box 38

Lockport, Ky. 40036

(502) 845-4501

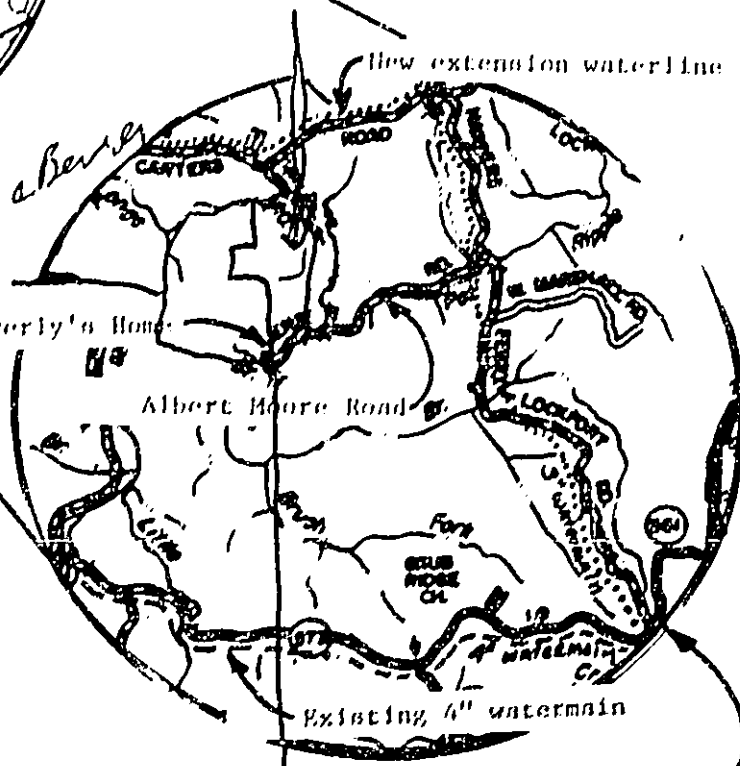
# Henry County



*Ronald & Carolyn Beverly*

*Ronald & Beverly*

Location of Ronald Beverly's Home



## LEGEND:

Watermain extension .....

Existing watermain - - - - -

APPENDIX (A)

Miller

Harper's Ferry